

Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccheri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Clever
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo

Etheridge
Fallin
Farr
Fattah
Flake
Fleming
Forbes
Fortenberry
Foster
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Hensarling
Herger
Herseht Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hoffetz
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larsen (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo

Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascarelli
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)

Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schneider
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak

Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skellton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Soudier
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney

Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—3

Campbell
Flake
Stark

NOT VOTING—14

Aderholt
Barrett (SC)
Fudge
Granger
Graves
Heller
Hoekstra
Kaptur
Kilpatrick (MI)
Klein (FL)
Marchant
Marshall
McHugh
Paul

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are less than 2 minutes remaining in this vote.

□ 1337

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HELLER. Mr. Speaker, on rollcall No. 529, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. MCHUGH. Mr. Speaker, due to official business, I missed two rollcall votes on Friday, July 10, 2009. I would have voted "no" on rollcall No. 528 and "yea" on rollcall vote No. 529 of H.R. 3082, the Fiscal Year 2010 Military Construction and Veterans Affairs Appropriations bill.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I missed the vote on the amendment to H.R. 3082 of Mr. FLAKE because we were detained in a hearing on the Honduran coup. Had I been present on the floor of the House, I would have voted "no."

LEGISLATIVE PROGRAM

(Mr. CANTOR asked and was given permission to address the House for 1 minute.)

Mr. CANTOR. Madam Speaker, I yield to the gentleman from Maryland,

the majority leader, for the purpose of announcing next week's schedule.

Mr. HOYER. I thank the gentleman for yielding. On Monday, the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business, with votes postponed until 6:30 p.m. On Tuesday, the House will meet at 10:30 a.m. for morning-hour debate and noon for legislative business. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business. On Friday, the House will meet at 9 a.m.

We will consider several bills under suspension of the rules. The complete list of suspensions bills, as is the custom, will be announced at the close of business today.

In addition to the suspension bills, we will also consider the 2010 Energy and Water Development and Related Agencies Appropriation Act and the 2010 Financial Services and General Government Appropriations Act.

Mr. CANTOR. Madam Speaker, this is our first colloquy since the July 4 recess, and we are scheduled to be in session for 3 more weeks before the next recess. So, Madam Speaker, I'd ask the gentleman if he could give us a sense of what will be considered on the floor beyond next week.

Mr. HOYER. Well, I expect to complete the appropriations bills and also the large item that will be on the agenda is the health care legislation that we hope to pass before we leave on the August break. Prior to that, I intend to have on the floor a provision dealing with statutory PAYGO.

□ 1345

We have not yet determined exactly whether that bill will be free standing or whether it will be on another bill that would be reported to the House. In addition, the food safety bill is possible. The committees are still working on other matters, and we hope to have the food safety issue resolved. That came out of the Energy and Commerce Committee, but there are a number of other committees, including the Agriculture Committee and your own committee, Ways and Means, that have expressed interest in that.

Those are essentially the items that we intend to deal with between now and the August break.

Mr. CANTOR. I thank the gentleman.

Madam Speaker, the Senate is scheduled to be in session 1 week longer than we are in the House, and I ask the gentleman if he expects us or anticipates our working into August, as the Senate is scheduled to do.

I yield.

Mr. HOYER. I thank the gentleman for yielding.

As the gentleman I think knows, because I think he got a preliminary schedule from my office which had us working the first week in August, I received comments from both sides of the aisle from a lot of Members who have young children, school-aged children. One of the realities is, we called around

the country, and a lot of the schools are going back into session anywhere between August 15 and August 25, some later, but a lot of the schools, and Members on both sides of the aisle were concerned that if we did not break on July 31 that they would be unable to have a vacation with their children during the summer months. As a result, we concluded that we would end our session on the 31st, a week before the Senate concluded. Originally, as I say, we were both scheduled to be in the first week of August. Obviously, as the gentleman knows, the good news is that because of our rules, we are able to get our work done more quickly than the Senate is able to get its work done. So we think that we can accomplish what we need to accomplish within the time frame available.

Mr. CANTOR. I thank the gentleman.

Speaking of rules, I want to, first of all, thank the gentleman for the ongoing dialogue that he and I have had over the last several weeks regarding how the House will go forward in terms of deliberating on appropriations bills. I sincerely express my gratitude for his engagement, his patience and the back and forth; and I know that we have been unsuccessful thus far in getting to what I believe is a mutually desirable goal, which is to return to the precedents of the House in terms of open rules surrounding appropriations bills.

Madam Speaker, I'd say to the gentleman, he has noticed two approps bills for next week, and I would like to ask him, what kind of rules does he expect these bills to be considered under?

Mr. HOYER. I thank the gentleman for his observation with respect to trying to work together to reach an agreement under which we would have confidence that we could consider the appropriation bills within the time frame available to us. We are on a good schedule now. As you know, we have passed seven of the 12 bills from the House. We have five more left to go. My expectation is that we will complete those.

Let me say that he and I have now been talking, I think, for somewhere in the neighborhood of about 3½ months about this issue. Early on I made a proposal that, from my perspective, did two things: one, it provided for time frames in which we would consider legislation; and two, it provided to the minority party, which does not control the Rules Committee—we were both in that situation for a period of time—but nevertheless, provided your party with the opportunity to offer such amendments as it deemed desirable, that it wanted to offer.

With respect to the two bills that you asked me about, I have not had an opportunity to discuss with Mr. OBEY or with the subcommittee Chairs of those two committees the specific rule that they are looking for and whether or not they've been able to reach any agreements with their counterparts, the ranking members on those two subcommittees. So I can't answer your question at this point in time; but as

we have had discussions, I want those discussions to continue. I will say to my friend that I had a discussion with one of your Members who is on the Appropriations Committee today who came over to this side of the aisle. We were talking about it, again, with a continuing effort to see if there is some way we can provide for the objectives of, I think, both of us.

Mr. CANTOR. I do want to, again, express my gratitude for his belief, as a former appropriator, that we ought to be operating under open rules and an open process when we are talking about deliberating and executing our constitutionally mandated role of expending and authorizing taxpayer dollars. And I do know that the gentleman shares my belief that we ought to get there. And I do also know and the gentleman has been very forthright in telling me and the leader on our side about his desire to want to get the work done of the people. I don't think that we disagree on trying to get the work done. I do believe, though, that we do owe to the American public the ability to see our work and the ability to have a full discussion on the separate issues that surround each appropriations bill. As the gentleman knows even more than many in this House, as he has served here and on the Appropriations Committee, the precedents of the House is open rules. And he and I have had discussions about what, perhaps, our party did when it was in the majority. During the Republican majority, the most appropriations bills ever to be considered under a restrictive rule during any one year was in 1997 when there were four bills discussed under a restricted rule. Again, that was in 1997. As the gentleman knows, so far this year—it's his party in the majority—there have been six bills that have been deliberated and discussed and debated under a restricted rule, and we, seemingly, are on track for 12.

Again, I know from the gentleman's discussions with me that we agree that we need to be under an open process. But as the gentleman has told me, it is the chairman of the Appropriations Committee, the gentleman from Wisconsin, who has basically overruled nearly all of us here in the House. And essentially, Madam Speaker, it seems that the gentleman who is the chairman of the Appropriations Committee closed down the process again this week, prevented Members on our side and the other side from exercising their constitutional duties while disenfranchising the millions of American citizens that they represent. So I, for the life of me, don't understand how it is that any individual, much less the chairman of the Appropriations Committee, is content to spend the taxpayer dollars without allowing there to be a full and open debate. In fact, I would bring a quote to the majority leader's attention from the gentleman from Wisconsin from October 6, 2000, when Mr. OBEY of Wisconsin said, in the context of discussing the need for

open and full debate, "We have gotten so far from regular order that I fear that if this continues, the House will not have the capacity to return to its precedence and procedures of the House that have given true meaning to the term representative democracy." He went on to say, "The reason that we have stuck to regular order as long as we have in this institution is to protect the rights of every Member to participate; and we lose those rights, we lose the right to be called 'the greatest deliberative body left in the world.'" And I say that and I bring that to the gentleman's attention for exactly the point of what he and I have been trying to achieve. Let's open up the process. Again, bearing in mind, Madam Speaker, the gentleman's goal of trying to finish the work, I know that he knows—I have represented—I will do all we can; and we on this side feel that we can meet his time frame. I would ask the gentleman if he is still in the posture of being able to deliver the ability for us to have the choice of the amendments that we offer. So if we were to now say—and I'm willing to offer this to the gentleman—if we were to say, fine, as the gentleman suggested 2 months ago outside the precedents of the House, if we were to agree to time limits, then we could have the ability to offer the amendments and have full and open discussion on the appropriations bills, as he had asked several months ago; and I yield.

Mr. HOYER. I thank the gentleman for yielding.

First of all, the gentleman puts a lot of thoughts and words into my mouth that aren't necessarily there. Let me say to the gentleman that as he knows, some 3½ months ago I did, in fact, come to the gentleman, I subsequently came to the leader and indicated that I thought that we could reach agreement if, in fact, we could reach an agreement on time limits; and I was prepared under those agreements to have the minority choose such amendments as they wanted to offer, rather than have the Rules Committee do that. That offer was rejected, as the gentleman knows. It was rejected relatively emphatically by Mr. BOEHNER in a meeting in my office, attended by Mr. LEWIS, Mr. OBEY, Mr. BOEHNER and myself.

Now you quote Mr. OBEY. In November of '06 the American public decided that they wanted to change the leadership in the House and Senate. They did so. Mr. OBEY took over as chairman of the committee, as he had been chairman in years past. Of the 12 bills, Mr. OBEY brought 10 bills to the floor under open rules. We did so under the understanding that you would give to us exactly what we gave to you under time agreements. Notwithstanding that, we debated those bills for 50 hours longer than the time constraints that we had agreed in '06 with you, the year before, when you were in charge of the House of Representatives.

So Mr. OBEY concluded—and I did as well—that those time agreements

would not be honored and were not honored. Now I know there is a disagreement between your side and our side as to why they weren't honored. But there is no disagreement that they took 50 hours longer to consider those bills than was the case in '06.

Now having said that, we then went to Rules. I offered an agreement some 3½ months ago that was rejected. We then went to the bills, and we had gone to markups. Now we had a markup just the other day in committee on the Financial Services bill and the Energy and Water bill. I'm not sure exactly the number of amendments that were offered but most of which were not germane to the bills. That markup took until after 1 a.m. in the morning on nongermane amendments.

You and I have been discussing, trying to come to grips with time constraints. But I will tell you that time constraints—and you've indicated, trust us on good faith. I tried to get some indication of what "good faith" means, what criteria could I judge good faith on. We haven't reached agreement on that. But I will tell you that during the CJS debate on the rule, Mr. LEWIS was asked on the bill that came to the floor under an open rule—Mr. LEWIS said this after being asked, "Can we reach a time agreement?" He said, "Because of that—referring to the 127 amendments, et cetera, et cetera, that were preprinted in the bill, 104 of which were Republican amendments."

Now under an open rule, of course, as the gentleman well knows—which, by the way, he serves on a committee that hardly ever reports its bills under an open rule. Hardly ever does a bill come out of the Ways and Means Committee that has an open rule. It's closed. You guys decide what to do, you bring the bill to the floor, and say, Take it or leave it.

Now here's what Mr. LEWIS said in response to that question: "I think the time limitation you were discussing was like for 8 hours or something," which is essentially what the bill took in the year 2006 when you were in charge. "I'm afraid my conference might very well have a revolution on its hands, and you might have a new ranking member," was in response to, could he agree to time constraints.

So I tell my friend that he is right. I have tried to reach an agreement on where we could have a time agreement, and you would offer such amendments as you deemed to be appropriate within the time frame agreed upon. Unfortunately we didn't reach such agreement. I talked to Mr. OBEY about that, and I talked to the Speaker about that. I believe that had we reached agreement, we would have proceeded on that course.

Now that does not mean because we did not proceed on that course that I don't want to continue discussing it. I want to assure the gentleman of that, because I believe that the more open our debate is, the better we are. The gentleman is correct when he charac-

terizes my feeling as that. But it has to be within the context of being able to get the American people's work done in a timely fashion. I know the gentleman has indicated he agrees with that. Unfortunately in 2007, the last time we really did appropriation bills—we didn't do them last year, again, because extraneous amendments were offered to a number of the bills in the Appropriations Committee, and we didn't move ahead on those, as you did not move ahead in some of your years. I think that was, from my standpoint, unfortunate.

But I tell the gentleman in closing that I am hopeful that as we move ahead, we can do so perhaps through agreement. Now in terms of Mr. OBEY, Mr. OBEY is the chairman of the committee. Mr. OBEY and Mr. LEWIS have talked. They have not reached agreement, as Mr. LEWIS indicated he could not. And frankly, the subcommittee chairmen have not reached agreement. I'm sure that the gentleman understands that, as majority leader, I'm very concerned about what the chairmen of both the committee and the subcommittee feel in terms of how their bills are handled on the floor, and we try to accommodate them.

□ 1400

Mr. CANTOR. Mr. Speaker, I thank the gentleman.

He and I have talked about Ways and Means, and again, he and I both agree that as far as the duty of this House to deliberate on appropriations bills, precedent has always been, by and large, for open rules. We have diverted from that precedent wholly at this point, and we are just trying to see if we can turn back to some open and full debate around the bills.

So I hear the gentleman, and he, as he properly says, accurately reflects discussions that have gone on between a variety of individuals. But I'm here to tell you, Mr. Speaker, that the gentleman has asked for us to commit, and he wants to know what is reasonable and fair and what our good faith means.

So I would respond to the gentleman by saying this: Because we were unable to fulfill the full return to the precedents of the House, although I do think that the gentleman from Maryland would like to, because Mr. OBEY has seemed to get his way in shutting out the millions of American people, I will sit here and tell the gentleman that in consultation with our leader, JOHN BOEHNER, as well as the ranking member, JERRY LEWIS, we are committed to fulfilling the leader's desire to finish the appropriations bills in a timely manner, but with full and open ability of our side to discuss the issues that we and our constituents feel should be discussed.

So I would ask the gentleman, is he in the position to readily accept at this point the ability for our side to have 20 amendments, 20 amendments, and give our side 10 minutes on each amend-

ment to discuss those? That is a fair and good faith proposition, largely divergent from the precedents of this House. But in trying to meet the majority's desire to do what it can, the minority then proffers this offer.

I yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding, and I will certainly have a discussion with that. It sounds to me a little bit like the offer that I made 3½ months ago, so I certainly am going to consider it in light of the fact it sounds a lot like the offer I made. I will be in further discussions with the gentleman.

Mr. CANTOR. I thank the gentleman.

At this time, Mr. Speaker, I would like to yield to the ranking member of the Rules Committee, the gentleman from California (Mr. DREIER).

Mr. DREIER. I thank the gentleman for yielding.

I have to say, Mr. Speaker, as I listened to the very thoughtful remarks coming from my friend, the distinguished majority leader, I am reminded that he came to Congress just a few months after I came in 1980. And I am reminded how we stood here on opposite sides engaging in the first Oxford-style debate, if the gentleman recalls, Mr. Speaker, on the issue of trade policy being used to enforce human rights. That was the discussion we had two decades ago. I simply put that forward, Mr. Speaker, in an attempt to underscore the fact that we are both institutionalists. We both served nearly three decades here, and we feel strongly about this institution and about the responsibility that we have to the American people.

I know that my friend understands full well that if one looks at the Constitution and the precedents that have been set in the past, there is a clear differentiation between the Ways and Means Committee's work and the Appropriations Committee's work. And there is also clearly an understanding of the disparity between the notion of opening up the Tax Code to a completely open amendment process and dealing with the appropriations process through an open amendment process which has, for 220 years, been the case, with some exceptions.

The interesting thing about those exceptions, and I know we have had both private discussions and we are engaging in public discussion now, and I thank my friend, the distinguished Republican Whip, for yielding to me, one of the things that I believe has not been tried, I know has not been tried in this process, is to allow not the top elected leaders of the party to make these kinds of decisions, not even the chairman and ranking member of the full committee.

But just to report to my friends here, Mr. Speaker, in the Rules Committee the day before yesterday we had an opportunity to hear from the distinguished Chair of the Agriculture subcommittee, Ms. DELAURO, and the ranking member of that committee, Mr. KINGSTON. And recognizing that

there has been difficulty, recognizing that sometimes the appropriation process has, as my friend correctly has said, seen Members engage in dilatory practices, Mr. KINGSTON made it clear that if we were to have an open amendment process, that he would do everything within his power to ensure that shenanigans would not take place on our side of the aisle that could delay the process, because we all acknowledge that we want to get the work done. Mr. CANTOR has said that. Mr. LEWIS has said that. We very much want that to take place.

What we are arguing is that if you look at when we have had structured rules in the past, they have, in almost every instance, followed the inability of the subcommittee chair and ranking member to successfully propound a unanimous-consent agreement.

So while Mr. CANTOR just made an offer, I frankly believe that we should do everything we can to at least attempt, just take one of the appropriations bills, and see if, not the majority leader and the Republican Whip, or the Republican leader and the Speaker or whatever, the top elected positions within our party, rather let the subcommittee chairmen make an attempt at doing that.

I say that, Mr. Speaker, because as we look at even the notion of what we began with, which was what created the high level of frustration for us—and yesterday I did a “Dear Colleague” explaining this process, the notion of somehow having a preprinting requirement does create undue constraint on both Democrats and Republicans when it comes to the appropriations process. And that is what led to the over-100 amendments being filed, because of the fact that when we considered the bill that we just passed 1 hour ago, in this House, last year, the unfortunate thing was there was no chance for even perfecting amendments to be offered to technical concerns that were there. In light of that, we felt very concerned about even having the preprinting requirement.

So my request would be, since we have now—unfortunately, having passed the five appropriations bills that we have, I guess it is six now that we have passed, six now as of this afternoon—we are unfortunately creating what I’m describing as the “new norm.” I know that as an institutional, the majority leader would not like to see that continue.

I hope very much, Mr. Speaker, that we are able to at least make an attempt to embolden, as has been the case in the past, our Chairs and ranking members of the appropriations subcommittees, who are expert on these bills, to work on them and work with our colleagues on that.

I thank my friend for yielding. I hope very much we can at least make that attempt on one bill as we move forward.

Mr. CANTOR. I thank the gentleman from California. He really echoes the

remarks, I think, and my sense in the beginning of this discussion many, many weeks ago that he and I have spoken, as well as spoken with the gentleman from Maryland. I do think the gentleman from Maryland agrees.

But I would just leave this subject, Mr. Speaker, with that fact that the gentleman from Maryland has said he will get back to me in terms of the offer that is on the table. And as he may know, and certainly the chairman of the Appropriations Committee does know, that in the year 2007, when the Republicans became the minority, it took 23.3 days to discuss appropriations bills for a total of 170¼ hours. If we compare that, and I’m sure that the chairman of the Appropriations Committee does know this, or could find this out, in 1995, the first year that his party took minority status or was relegated to that status, the appropriations bills took 31 days and 205 hours. So we are not talking about anything other than the RECORD here, and the RECORD indicates the minority in 1995 took a lot more time than we did in 2007.

Now, in keeping with the gentleman from Maryland’s desire to get the work done, the gentleman from California says he shares that, as do I, as does our leader, as does our ranking member on the Appropriations Committee. We are committed to doing that. I look forward to the gentleman’s return in terms of the offer that I have expressed. And my friend, the gentleman from California, I will yield.

Mr. DREIER. I thank my friend for yielding.

One other caveat, as we talk about these committees, one of the things that I think my colleague should know about the Rules Committee is that we have the ability to do virtually anything that we want in the Rules Committee. And as we have heard over the past few weeks, the concern that has been raised is this calendar issue, trying to get this work done before we head into the August recess to deal with these issues.

I think that it is clear that after this process goes on, an outside time limit could be put into place on each of the appropriations bills. That could be the rule that comes down, if that is something that the majority chooses to do. The concern that I have as we look at the amendments, traditionally there have been opportunities for bringing about real spending cuts in appropriations bills.

As we look at these double-digit increases in the appropriations bills, unfortunately, cherry-picking amendments, which is really what has happened so far with this process—and I understand the offer that my friend made early on about minority amendments and the opportunity to offer that. But right now what we have is a situation where the Rules Committee is choosing these amendments. If, in fact, it simply is a time issue, rather than choosing those at all, the Rules

Committee could, as my friend has pointed to the 200 hours that have been spent, it would be very easy to simply say, 8, 10, 12 hours would be the outside time limit for the appropriation work of a subcommittee here on the floor, and then we can do it under an open amendment process.

I thank my friend for yielding.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, we are wondering on this side, having read the news reports, having listened to the gentleman this past Sunday on FOX News about his, in my opinion, refreshing comments about his disappointment as to where we are in this economy and the stimulus that was supposed to have addressed this economy. Again, “refreshing” not because the economy is bad, but simply because I think there is a recognition that the “stimulus” bill, that it was called, that passed has not delivered on the promise that this administration made about keeping unemployment down.

I would ask, since we see unemployment nearing 10 percent, since the promises that were made of the stimulus bill was that we would stave off that unemployment, and it would be no higher than 8½ percent, I would ask the gentleman if he expects to be able to return to the subject and be able to put in place a plan to really do something to create or foster an environment to create jobs, or should I believe the reports that I am reading that perhaps we are going to have yet another stimulus bill the likes of which we have already seen that has not worked?

I yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding.

First, before I go to the gentleman’s specific issue, I want to make it very clear that, first of all, Mr. OBEY, contrary to what was represented, did not make his decisions in a vacuum. This was discussed. I don’t want any implication that Mr. OBEY arbitrarily and capriciously acted on his own.

When the determination was made, as a result of the conversations that ensued between chair and ranking members, both of the full committee and of the subcommittees, that was a collective decision that was made. It was not Mr. OBEY’s alone. So any implication that that was the case is not accurate, I tell my friend.

□ 1415

Now, with respect to the stimulus package, the Recovery and Reinvestment Act, we believe the Recovery and Reinvestment Act is working. We believe there are an awful lot of policemen, firemen, teachers, who are still protecting the public safety, fire and police. And teaching our children, class sizes have not increased because of the Recovery and Reinvestment Act, because of the investment we made in States to try to stabilize their fiscal condition, which is very, very bad, as the gentleman knows.

The gentleman was not here, of course, but in 2001 and 2003, Mr. DREIER

and I were here, some others on the floor were here. We adopted an economic program that the leader, your present leader said, and others said, Mr. DeLay said and other members of your leadership said, and the President of the United States said, would build an extraordinarily robust economy, would take our country to new heights of economic well-being.

The gentleman I am sure probably knows these figures, but during the last year of the Bush administration, after having passed, without the Democrats stopping it or changing it or modifying it, after adopting the economic program and pursuing it for 7 years, from 2001 to December of 2008, in the last year from January to December, we lost 3.189 million jobs. 3,189,000 jobs were lost, the worst economic performance of any administration over 8 years in the last 75 years. In other words, since Herbert Hoover. The worst performance.

Now, in the last year of the Clinton administration, I tell my friend, we gained. In the last year, when, as you recall, there was a slight slowdown, we gained 1.9 million jobs. So the turnaround from the last year of the Clinton administration and the last year of the Bush administration was 5 million jobs. That was the economic status that was left, the legacy of the Bush administration and of the policies adopted by the Republican Congress from 2001 to 2006 which was not changed, as you recall, because President Bush had, of course, the veto.

The fact of the matter is that the Clinton administration created an average of 216,000 jobs per month on average over 96 months. The Bush administration, under the economic policy that you promoted then and are promoting now, I don't mean you personally, but your party is promoting. And let me say this again, under the Clinton administration, 96 months, an average of 216,000 jobs a month were created, plus. Under the Bush administration, the average job performance over 96 months was 4,240 jobs per month. You need 100,000-plus to stay even in America.

Now let me give you an additional figure. In the last 3 months of the Bush administration, you lost an average of 650,000 per month. Over the last three months, we have lost far too many, but an average of 450,000 per month. In other words, while we are not in the plus place, which is why I expressed on Fox News my disappointment, I can't imagine there is anybody in this Chamber, the President is disappointed, the Vice President is disappointed, the American people are disappointed that we are not creating those 216,000 jobs per month that we did under the Clinton administration, and we are still losing jobs because of the disastrous economy that was inherited.

I tell my friend that it was not just the facts that argue that, but Secretary Paulson, Ben Bernanke and President Bush said we had a disas-

trous economic crisis that confronted us at the end of the Bush administration's economic policy conclusion and asked us to respond very vigorously to that.

As you know, during the course of the Bush administration, we did that. Unfortunately, it has not been enough. We did that again with the Recovery and Reinvestment Act which we think is succeeding. But my friend would, I think, fairly observe that his 2001 tax cut after 130 days had not turned America around; in fact, in my view, never turned America around.

Now your leader talked about on that same show, well, we created 5 million jobs. There was a spike up, and a disastrous spike down, which is why, as I said, 3.18 million jobs were lost during the last year of the Bush administration.

We believe that the Recovery Act can work. We think it will work. We hope this economy comes back from where it was left us on January 20, 2009. America is experiencing pain. Too many of our people are experiencing pain. We regret that. It is disappointing. We need to take such efforts as we can to correct that.

I will tell my friend in addition to that, at this point in time there is no intent to have an additional bill on the floor. The administration is not talking about it. We are not talking about it. I was asked a question in the press and I said rightfully, we certainly wouldn't put that off the table. We will consider steps that need to be taken in order to address the economic crisis that confronts our Nation, but there is no plan at this point in time to offer an additional bill of that type.

Mr. CANTOR. I thank the gentleman for his remarks, and just say historical facts can be applied and used at will, and that there were plenty of opportunities to point and cast blame and claim credit as there were Republican Congresses and Democratic Presidential administrations and the like. So we could go on for a long time about the past.

My point, Mr. Speaker, in posing the question to the gentleman is as a result of the mere fact that promises were made by this administration, goals were set. We were told this stimulus bill, if we were to act in haste, the way this Congress acted, and in fact no one in this body read that bill of 1,100 pages, we were told if we were to pass that bill and it were to be signed into law that unemployment in this country would not exceed 8.5 percent. As we know, as the gentleman knows, in many parts of the country it is well in excess of 10 percent. Nationally, we are on the way to 10 percent.

We must and should, Mr. Speaker, in this House do all we can to try and get this economy back on track. It is not that we should repeat the mistakes of the past in that stimulus bill, and we await the administration, the gentleman's prescription as to how to address, as he says, the very real pain

that America's families are experiencing.

Mr. HOYER. If the gentleman would yield, let me say that looking in the past is not fruitful unless you learn from the past.

The point of my recitation was that the policies proposed in 2001 and 2003 demonstrably did not work, and I read the results of those policies which were the policies of the Bush administration. What I pointed out is that it is the same formula that is being recommended once again from your side of the aisle. So it is instructive to learn from what didn't work in the past.

I reject your assertion that the Recovery and Reinvestment Act hasn't worked. I have pointed out to you that we have lost a third less jobs over the last 3 months than we lost during the last 3 months of the Bush administration.

Is losing one job one too many? It is. Is it a disappointment? It is. But after a quarter and a little more of effectiveness, 95 percent of Americans got a tax cut, got money in their pocket, as you know, as a result of the Recovery and Reinvestment Act. There is \$65 billion of construction jobs being affected. Has it gone out fast enough? It hasn't. Is it starting to pick up? It is. Was the thought 10 to 15 percent would be spent within the time frame we are now talking about? Yes, that was the projection. Has that happened? Yes, it has. So that projection was correct. Is unemployment higher than we anticipated? Yes, it is, because the recession and almost depression, according to Bernanke, that we inherited from the last administration was so deep and so endemic that we are having real trouble getting out of it.

Mr. CANTOR. I thank the gentleman, and in closing, I would leave the gentleman with two points: one, the plan that the House Republicans put on the table and presented to this President was focused on small businesses. If he looks at that plan as the President did, and the President clearly said there is nothing crazy in this plan, which meant that these are things that could work.

The President also, to my second point, claimed that we may have philosophical differences on tax policy and the rest, but he said to me, "I won." So it is, Mr. Speaker, this President's and this Congress's economy. We stand ready and willing to proffer up yet again our plan to address the economic woes of the American families. We have a plan that would be at half the cost of that stimulus bill and produce twice the jobs.

ADJOURNMENT TO MONDAY, JULY 13, 2009

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate, and further,